

Exhibit A

Proposed Order

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to the
Commonwealth and ERS.

ORDER GRANTING FOUR HUNDRED THIRTY-FOURTH OMNIBUS OBJECTION (NON-
SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO AND THE
EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO TO DUPLICATE LITIGATION CLAIMS

Upon the *Four Hundred Thirty-Fourth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico to Duplicate Litigation Claims* [ECF No. 20491] (the “Four Hundred Thirty-Fourth Omnibus Objection”),² filed by the Commonwealth of Puerto Rico (“Commonwealth”) and the Employees Retirement System of the Government of the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Four Hundred Thirty-Fourth Omnibus Objection.

Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth, the “Debtors”), dated April 1, 2022, for entry of an order disallowing in their entirety certain claims filed against the Debtors, as more fully set forth in the Four Hundred Thirty-Fourth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Four Hundred Thirty-Fourth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Four Hundred Thirty-Fourth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and the claims identified in the column titled “Claims to be Disallowed” in Exhibit A to the Four Hundred Thirty-Fourth Omnibus Objection (collectively, the “Claims to Be Disallowed”) being duplicative of the Litigation Master Claims, as defined in the Four Hundred Thirty-Fourth Omnibus Objection; and the Court having determined that the relief sought in the Four Hundred Thirty-Fourth Omnibus Objection is in the best interest of the Debtors, their creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Four Hundred Thirty-Fourth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the Four Hundred Thirty-Fourth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the Claims to Be Disallowed are hereby disallowed in their entirety; and it is further

ORDERED that the Debtors’ right to object to the Litigation Master Claims is reserved; and it is further

ORDERED that Kroll is authorized and directed to designate the Claims to Be Disallowed as expunged on the official claims register in the Title III Cases; and it is further

ORDERED that this Order resolves Docket Entry No. 20491 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: _____

Honorable Judge Laura Taylor Swain
United States District Judge

EXHIBIT A

Schedule of Claims Subject to the Four Hundred Thirty-Fourth Omnibus Objection

Four Hundred Thirty-Fourth Omnibus Objection
Exhibit A - Claims to Be Disallowed

CLAIMS TO BE DISALLOWED

REMAINING CLAIMS

	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT
1	DIAZ ALICEA, VICTOR M HC 70 BOX 30739 SAN LORENZO, PR 00754	05/25/18	17 BK 03566-LTS / Employees Retirement System of the Government of the Commonwealth of Puerto Rico	35151	Undetermined*	FRANCISCO BELTRAN ET ALL (4,493 PLAINTIFFS) COLLECTIVELY (THE BELTRAN CINTRON PLAINTIFF GROUP")... ATTN: IVONNE GONZALEZ-MORALES PO BOX 9021828 SAN JUAN, PR 00902	03/05/21	17 BK 03283-LTS / Commonwealth of Puerto Rico	179140	\$ 105,000,000.00*
						FRANCISCO BELTRAN ET AL (4,593 PLAINTIFFS) COLLECTIVELY (THE "BELTRAN CINTRON PLAINTIFF GROUP") CIVIL CASE NUM. K AC2009-0805/TSPR AC 2016-0120 C/O IVONNE GONZALEZ-MORALES ATTORNEY FOR BELTRAN CINTRON PLAINTIFF GROUP P.O. BOX 9021828 SAN JUAN, PR 00902-1828	06/29/18	17 BK 03566-LTS / Employees Retirement System of the Government of the Commonwealth of Puerto Rico	93199	\$ 15,283,000.00*

Reason: This claim is duplicative of Master Claim nos. 179140 and 93199, which were filed on behalf of all plaintiffs in the litigation captioned Francisco Beltrán Cintrón et al. v. Puerto Rico Department of Family Affairs, No. KAC2009-0809 (the “Beltrán Cintrón Master Claims”), by the attorney representing plaintiffs in that litigation. The plaintiffs in the litigation are former Department of Family Affairs (“DOFA”) employees who alleged that DOFA withheld wages and pension payments as a result of the Office of Public Service Personnel’s “General Memorandum No. 5-86.” Claimant is a plaintiff in that litigation, and his/her claim asserts the above-referenced litigation and/or liabilities associated with this litigation as its basis.

Four Hundred Thirty-Fourth Omnibus Objection
Exhibit A - Claims to Be Disallowed

CLAIMS TO BE DISALLOWED

REMAINING CLAIMS

	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT
2	NIEVES CARDONA, LUZ N BOX 570 SAN SEBASTIAN, PR 00685	06/06/18	17 BK 03283-LTS / Commonwealth of Puerto Rico	60514	Undetermined*	FRANCISCO BELTRAN ET ALL (4,493 PLAINTIFFS) COLLECTIVELY (THE BELTRAN CINTRON PLAINTIFF GROUP")... ATTN: IVONNE GONZALEZ-MORALES PO BOX 9021828 SAN JUAN, PR 00902	03/05/21	17 BK 03283-LTS / Commonwealth of Puerto Rico	179140	\$ 105,000,000.00*
						FRANCISCO BELTRAN ET AL (4,593 PLAINTIFFS) COLLECTIVELY (THE "BELTRAN CINTRON PLAINTIFF GROUP") CIVIL CASE NUM. K AC2009-0805/TSPR AC 2016-0120 C/O IVONNE GONZALEZ-MORALES ATTORNEY FOR BELTRAN CINTRON PLAINTIFF GROUP P.O. BOX 9021828 SAN JUAN, PR 00902-1828	06/29/18	17 BK 03566-LTS / Employees Retirement System of the Government of the Commonwealth of Puerto Rico	93199	\$ 15,283,000.00*

Reason: This claim is duplicative of Master Claim nos. 179140 and 93199, which were filed on behalf of all plaintiffs in the litigation captioned Francisco Beltrán Cintrón et al. v. Puerto Rico Department of Family Affairs, No. KAC2009-0809 (the “Beltrán Cintrón Master Claims”), by the attorney representing plaintiffs in that litigation. The plaintiffs in the litigation are former Department of Family Affairs (“DOFA”) employees who alleged that DOFA withheld wages and pension payments as a result of the Office of Public Service Personnel’s “General Memorandum No. 5-86.” Claimant is a plaintiff in that litigation, and his/her claim asserts the above-referenced litigation and/or liabilities associated with this litigation as its basis.

Four Hundred Thirty-Fourth Omnibus Objection
Exhibit A - Claims to Be Disallowed

CLAIMS TO BE DISALLOWED

REMAINING CLAIMS

	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT
3	RODRIGUEZ RUIZ, GEMINELLY 71 CALLE LOS ANGELES ANASCO, PR 00610	04/20/18	17 BK 03283-LTS / Commonwealth of Puerto Rico	7866	Undetermined*	ABRAHAM GIMÉNEZ ET AL (1,046 PLAINTIFFS) COLLECTIVELY (THE "ABRAHAM GIMÉNEZ PLAINTIFF GROUP"); CIVIL CASE NUM. K AC2013-1019 / TSPR AC 2016-0120, JORGE ABRAHA M G IMÉ NEZ PL AI N TIFF GR O UP (1,046 PLAINTIFFS) LCDA. IVONNE GONZALEZ-MORALES PO BOX 9021828 SAN JUAN, PR 00902-1828	06/29/18	17 BK 03566-LTS / Employees Retirement System of the Government of the Commonwealth of Puerto Rico	130077	\$ 6,293,000.00*
						JORGE ABRAHAM GIMENEZ ET AL (1,046 PLAINTIFFS) COLLECTIVELY (THE "ABRAHAM GIMENEZ PLAINTIFF GROUP") ATTN: IVONNE GONZALEZ-MORALES PO BOX 9021828 SAN JUAN, PR 00902	03/05/21	17 BK 03283-LTS / Commonwealth of Puerto Rico	179141	\$ 35,000,000.00*

Reason: This claim is duplicative of Master Claim nos. 179141 and 130077, which were filed on behalf of all plaintiffs in the litigation captioned Abraham Gimenez et al. v. Puerto Rico Department of Transportation & Public Works, No. KAC2013-1019 (the "Abraham Gimenez Master Claims"), by the attorney representing plaintiffs in that litigation. The plaintiffs in the litigation are former Department of Transportation and Public Works ("DOTP") employees who alleged that DOTP withheld wages and pension payments as a result of the Office of Public Service Personnel's "General Memorandum No. 5 -86." Claimant is a plaintiff in that litigation, and his/her claim asserts the above-referenced litigation and/or liabilities associated with this litigation as its basis.